

MONTANA LEGISLATIVE HISTORY

Chapter 518 19 80

Bill H 420 S _____ Original bill & history C

H. Committee on Judiciary

Hearing Date(s) Feb 18 ☒ C

_____ ☐ C

_____ ☐ C

_____ ☐ C

Date Out Feb 18 ☒ C

S. Committee on Judiciary

Hearing Date(s) Mar 18 ☒ C

Mar 21 ☒ C

_____ ☐ C

_____ ☐ C

Mar 23 ☒ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

		2/11/87	2/17/87			2/11/87					
13		2/2/87	2/6/87	2/6/87							
14		2/19/87	2/21/87	2/21/87							

STATUS SHEET

50th LEGISLATIVE SESSION

JUDICIARY

COMMITTEE

HOUSE BILL NUMBER	ENTERED COM. DATE	DATE CON- SIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CON- CURRED IN DATE	BE NOT CON- CURRED IN DATE	BE CON- CURRED IN AMENDED DATE	BE NOT CONCURRE IN AS AMENDED DATE
419		2/5/87	failed to meet deadline								
430		2/18/87	2/18/87	2/18/87							
435		2/2/87	2/6/87			2/6/87					
442	1/2/87	2/4/87	2/12/87			2/12/87					
448		2/13/87	2/18/87	tabled							
460		2/13/87	2/21/87			2/21/87					
468		2/12/87	2/14/87	tabled							
470		2/17/87	2/18/87			2/18/87					
472		1/30/87				2/17/87					
474		2/12/87	2/20/87			2/20/87					
475		2/18/87	2/21/87	tabled							
478		2/9/87	2/21/87			2/21/87					
482		2/13/87	2/20/87			2/20/87					
491		2/13/87	2/20/87	2/20/87							

Use a separate sheet for Senate Bills, House Bills, and Resolutions.

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1985

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MINUTES OF THE MEETING
JUDICIARY COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

February 18, 1987

The meeting of the Judiciary Committee was called to order by Chairman Earl Lory on February 18, 1987, at 7:00 a.m. in Room 312 D of the State Capitol.

ROLL CALL: All members were present with the exception of Rep. Eudaily who was excused.

EXECUTIVE SESSION:

ACTION ON HOUSE BILL NO. 393:

Rep. Gould moved that HB 393 DO PASS. Rep. Gould moved amendments. Question was called and a voice vote was taken. The motion CARRIED 13-1, with Rep. Hannah dissenting. Rep. Mercer stated that the 180 days should be stricken because the Supreme Court says that Human Rights Commission will have 12 months. Rep. Gould moved the insertion of 12 months. Question was called and a voice vote was taken. The motion CARRIED 12-2 with Reps. Giacometto and Hannah dissenting. (See Amendments Attached). Rep. Gould moved that HB 393 DO PASS as amended. Question was called and a voice vote was taken. The motion CARRIED 13-1 with Rep. Hannah dissenting. HB 393 DO PASS AS AMENDED.

ACTION ON HOUSE BILL NO. 448:

Rep. Darko moved that HB 448 be tabled. Question was called and a voice vote was taken. The motion CARRIED unanimously. HB 448 TABLED.

ACTION ON HOUSE BILL NO. 470:

Rep. Miles moved that HB 470 DO PASS. Rep. Miles stated that there is a drafting error on page 26 of the bill and moved to amend it by inserting "except traffic records". Question was called and a voice vote was taken. The motion CARRIED unanimously. Rep. Rapp-Svrcek moved to amend by returning to the original language of the bill on line 10. Question was called and a voice vote was taken. The motion CARRIED 8-7. (See Amendments Attached). Rep. Addy moved to amend the bill by returning to the original language on lines 3-6, page 13. Question was called and a voice vote was taken. The motion CARRIED 12-4. Rep. Miles moved that HB 470 DO PASS AS AMENDED. Question was called and a voice

vote was taken. The motion CARRIED unanimously. HB 470 DO PASS AS AMENDED.

ACTION ON HOUSE BILL NO. 371:

Rep. Gould moved that HB 371 DO PASS. Rep. Brown moved a substitute motion that HB 371 DO NOT PASS. He stated that this bill is not reasonable. Rep. Addy pointed out that a young man must disclose his social security number at the age of 18. Rep. Giacometto opposed the motion. Question was called and a voice vote was taken. The motion CARRIED 10-6. HB 371 DO NOT PASS.

ACTION ON HOUSE BILL NO. 502:

Rep. Darko moved that HB 502 DO PASS. Rep. Addy opposed the motion. Rep. Mercer stated that this bill is not needed. Rep. Bulger moved a substitute motion to table HB 502. A voice vote was taken and the motion CARRIED 15-1, with Rep. Giacometto dissenting. HB 502 TABLED.

ACTION ON HOUSE BILL NO. 660:

Rep. Strizich moved that HB 660 be tabled. A voice vote was taken and the motion CARRIED unanimously. HB 660 TABLED.

ACTION ON HOUSE BILL NO. 351:

Rep. Hannah moved that HB 351 be tabled. A voice vote was taken and the motion CARRIED 15-1, with Rep. Cobb dissenting. HB 351 TABLED.

ACTION ON HOUSE BILL NOS. 604 AND 605:

Rep. Miles moved that HB 604 and 605 be tabled. A voice vote was taken and the motion CARRIED unanimously. HB 604 and 605 TABLED.

ACTION ON HOUSE BILL NO. 680:

Rep. Hannah opened discussion on the bill. Rep. Mercer stated that this bill deals with negative treatment and he does not have a problem with it. Rep. Bulger stated that he opposes this bill. Rep. Addy pointed out that HB 680 requires a 2/3 vote and if a woman is considering an abortion, then the doctor must tell her everything, with regard to her medical condition.

Rep. Bulger moved that HB 680 be tabled. A voice vote was taken and the motion CARRIED 11-4 with Reps. Hannah, Meyers, Cobb and Keller dissenting. HB 680 TABLED.

DAILY ROLL CALL
JUDICIARY COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb 18, 1987

NAME	PRESENT	ABSENT	EXCUSED
JOHN MERCER (R)	✓		
LEO GIACOMETTO (R)	✓		
BUDD GOULD (R)	✓		
AL MEYERS (R)	✓		
JOHN COBB (R)	✓		
ED GRADY (R)	✓		
PAUL RAPP-SVRCEK (D)	✓		
VERNON KELLER (R)	✓		
RALPH EUDAILY (R)			✓
TOM BULGER (D)	✓		
JOAN MILES (D)	✓		
FRITZ DAILY (D)	✓		
TOM HANNAH (R)	✓		
BILL STRIZICH (D)	✓		
PAULA DARKO (D)	✓		
KELLY ADDY (D)	✓		
DAVE BROWN (D)	✓		
EARL LORY (R)	✓		

STANDING COMMITTEE REPORT

FEBRUARY 18,

87

19

JUDICIARY

Mr. Speaker: We, the committee on
report HOUSE BILL NO. 470

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

Chairman

AMENDMENTS AS FOLLOWS

1) Page 13, line 3

Following: ~~"effectively"~~

Insert: "immediately and effectively"

2) Page 13, lines 5 and 6

Strike: ~~"right against"~~ on line 5 through ~~"counsel"~~ on line 6

Insert: "constitutional rights and his rights under this chapter"

3) Page 13, line 9

Strike: ~~"16"~~

Insert: "under the age of 12"

Strike: ~~"of"~~

4) Page 13, line 10

Strike: ~~"age or older"~~

Following: ~~"parents of"~~

Insert: "the parents of"

5) Page 13, line 12

Strike: ~~"under"~~

Insert: "over"

Strike: ~~"16"~~

Insert: "12"

6) Page 13, line 13

Strike: ~~"a parent or guardian"~~

Insert: "his parents"

7) Page 13, line 14

Strike: ~~"or"~~

Insert: "and"

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8) Page 13, line 15.

Strike: "under"

Insert: "over"

Strike: "16"

Insert: "12"

9) Page 13, line 16.

Strike: "parent or guardian"

Insert: "parents"

10) Page 26, line 12.

Following: "records,"

Insert: ", except traffic records,"

HB0353	2/10	3/23	CONCUR	3/23
GOULD, BUDD	INCLUDING DENTISTS IN DOCTOR-PATIENT PRIVILEGE			
HB0367	2/16	3/23	CONCUR	3/23
SUPPLYING HUMAN TISSUE A SERVICE AND NOT A SALE				
COMMITTEE--(S) JUDICIARY				RUN DATE.... 04/22/87

CHAIRMAN--SEN. JOE MAZUREK
NORMAL SCHEDULE==> SITE: ROOM 325

DAYS: MON THRU FRI TIME: 10:00 A.M.

SECRETARY-MARY HUBER

--BILL NO--	REFER DATE	HEARING DATE	CONSIDERATION DATES	COMMITTEE ACTION	REREFERRED TO COMM	DATE OUT
HB0393	3/02	3/20		CONCUR AS AMENDED		3/21
LORY, EARL	REVISE PROCEDURE FOR REMOVING HUMAN RIGHTS CASE TO DISTRICT COURT					
HB0396	2/16	3/09		CONCUR		3/11
PAVLOVICH, BOB	SUSPEND DRIVER'S LICENSE FOR UNLAWFUL OR FRAUDULENT USE OF LICENSE					
HB0400	3/02	3/20		CONCUR AS AMENDED		3/27
MANUEL, REX	REQUIRE LEGISLATIVE APPROVAL OF HRC RULES GOVERNING HOUSING DISCRIMINATION					
HB0413	2/11	3/06		CONCUR		3/6
BRANDEWIE, RAY	REMOVE AMOUNT OF MARIJUANA REQUIRED FOR INTENT TO SELL					
HB0430	2/23	3/17		CONCUR		3/17
BRANDEWIE, RAY	CLARIFY DELIBERATE HOMICIDE SENTENCES					
HB0435	2/12	3/06		ADVERSE REPORT		3/13
BRANDEWIE, RAY	REVISE FORFEITURE IN CRIMINAL PROCEEDINGS					
HB0442	2/19	3/12		CONCUR AS AMENDED		3/24
MERCER, JOHN	LIMIT PUNITIVE DAMAGES					
HB0470	2/23	3/18		CONCUR AS AMENDED		3/21
MILES, JOAN	GENERALLY REVISE PROCEDURE OF YOUTH COURT AND LAW REGARDING YOUTH OFFENDER					
HB0474	3/02	3/25		CONCUR AS AMENDED	NO ACT 3/27	4/16
MOORE, JANET	CORPORATE DIRECTORS, OFFICERS PERSONALLY LIABLE FOR EMPLOYEES' UNPAID WAGES					
HB0478	3/02	3/24			NO ACT 3/27	-
THOMAS, FRED	LIMITED IMMUNITY FOR WEED DISTRICTS					
HB0482	3/02	3/26		CONCUR		3/26
SCHVE, TED	ALLOW JUSTICE COURT TO BE DESIGNATED AS A CITY COURT					

MONTANA STATE SENATE
JUDICIARY COMMITTEE
MINUTES OF THE MEETING

March 18, 1987

The forty-fifth meeting of the Senate Judiciary Committee was called to order on March 18, 1987 at 10:00 a.m. in Room 325 of the state Capitol, by the chairman, Senator Joe Mazurek.

ROLL CALL: All committee members were present.

CONSIDERATION OF HOUSE BILL 470: Representative Joan Miles, Helena, gave the committee a summary on House Bill 470. (Exhibit 1) She agreed with the McGrath amendments.

PROPOSERS: Senator Van Valkenburg, Missoula, supported the bill. He said it will establish a public policy that will help the youth of Montana. He said there is a real need for communication with the youth about the consequences they might face if convicted of a crime. He felt kids that commit adult crimes should be treated as adults.

Mike McGrath, Lewis and Clark County Attorney, went through the bill section by section. He said the bill will make the 16 year-old youth make his own decision when it comes to procedures, after being caught. He said Juvenile Court supports it. He gave the committee amendments to the bill to clear up some language problems. (Exhibit 2)

Patrick Paul, District Attorney for Cascade County, favored the bill.

OPPOSERS: There were none.

DISCUSSION ON HOUSE BILL 470: Senator Mazurek asked on page 26, about the confidentiality part, which a victim is prevented from finding out all the information about the convicted or charged youth.

Mr. McGrath said the law right now, will not let the court disclose to the victim who attacked him. Senator Mazurek asked if there is any prohibition in the bill against the victim going to the press with the name of a youth who committed the crime. Mr. McGrath said no, and would like to leave it that way because you can't restrain people like that. Senator Mazurek said it doesn't make sense to

not have any confidentiality at all in a youth's case.

Senator Mazurek wanted to know what the amendments will do in section 13 of the bill. Mr. McGrath stated it will allow law enforcement records of a youth to be treated like adult records.

Senator Blaylock questioned Senator Van Valkenburg if this bill will prevent kids from committing crimes. Senator Van Valkenburg said yes, this would be a strong effort to prevent crimes. Senator Blaylock said he had doubts if tougher approaches were the best way to go.

Representative Miles closed the hearing on HB 470.

CONSIDERATION OF HOUSE BILL 344: Representative Asay, House District 27, presented the bill to the committee. (Exhibit 3) He said the bill needed an amendment that will allow the provisions of this bill to be applied to any cases that have not been filed.

PROPOSERS: Gary Neely, Montana Medical Assn., supported the bill in its current form. Mr. Neely distributed amendments to HB 344. (Exhibits 4 and 4A)

Chad Smith, Montana Hospital Association, stated in 1986, Columbus Hospital in Great Falls, paid \$180,386 for malpractice insurance. He said Billings Deaconess paid \$175,000 for 253 beds for malpractice insurance; That was an increase of 34% over last year. He said in 1985, there were only 24 claims throughout the state that only totaled \$25,000. He stated that in 1986, all Montana hospitals paid a total of \$1,672,000 for insurance. He felt this bill could help, with an amendment he presented. (Exhibit 5) He presented the committee with a letter from Dr. Jeffrey H. Strickler of the American Academy of Pediatrics. (Exhibit 6) Dr. Strickler supported HB 344.

Bill Rossback, Montana Trial Lawyers Assn., said the statute of limitations starts when a child is in school because of the groups of people that can watch a child and can tell if something went wrong when the child was at the age of 0 to 4 years old. He stated that is when the doctors are most involved with a child, at the ages of 0 to 4. He said the statute of limitation is preserved until the child is 8 years old because the big damage cases are usually discovered before they are 8 years old. Mr. Rossback said his group compromised with this bill and cut the statute of limitations in half. He said he didn't agree with the Neely amendment because the statute

ROLL CALL

Judiciary

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date March 18

NAME	PRESENT	ABSENT	EXCUSED
<u>Senator Joe Mazurek, Chairman</u>	X		
<u>Senator Bruce Crippen, Vice Chairman</u>	X		
<u>Senator Tom Beck</u>	X		
<u>Senator Al Bishop</u>	X		
<u>Senator Chet Blavlock</u>	X		
<u>Senator Bob Brown</u>	X		
<u>Senator Jack Galt</u>	X		
<u>Senator Mike Halligan</u>	X		
<u>Senator Dick Pinsoneault</u>	X		
<u>Senator Bill Yellowtail</u>	X		

Each day attach to minutes.

Summary of HB 470: General Revisions of Youth Court Proceduresp 1. Section 1

Amends "Youth in need of supervision" definition to reflect a common situation where we have youths who commit offenses and habitually disobey foster parents and other physical custodians, as well as parents.

p 5. Section 2

Allows each party in a Youth Court proceeding one opportunity to disqualify a judge, rather than 2 chances under present law.

p 5. Section 3

Amends provisions dealing with transfer to criminal court; includes felony assault, provides for "probable cause" - a more widely used and legally understood term, clears up some language, and provides for an automatic transfer to district court if the youth is 16 or older, and is charged with deliberate or mitigated deliberate homicide.

p 9. Section 4

Must be probable cause before petition can be filed (after a youth taken into custody) if the matter is referred to the county attorney. This is a standard that applies in adult cases and broadens rights of youths taken before court.

p 12. Section 5

Clarifies the rights of a youth upon questioning and amends provisions dealing with waiver of rights. *"Waiver of rights" section amended at in House*

p 13. Section 6

Judiciary
Expands authority to fingerprint and photograph youths arrested for felonies, pursuant to a search warrant if supported by probable cause. Also, records could be retained and used in other investigations.

p 15. Section 7

Revises provisions regarding detention and shelter care of youth. Broadens criteria, similar to adults, concerning when a youth can be held. (Bail rights provided under Section 9).

p 17. Section 8

Continues the privilege for communications made by youth to counselor or probation officer. However, if court testimony is in contradiction to privileged statements, the statements may be used for impeachment purposes.

p 17. Section 9

Provides for bail provisions for youth before Youth Court.

p 19. Section 10

Allows the Youth Court to require, if necessary, examination of the parents or guardian prior to a dispositional hearing.

p 21. Section 11

Expands the judge's authority in sentencing a delinquent youth or youth in need of supervision.

p 25. Section 12

Revises publicity provisions to open all court proceedings regarding youths charged as delinquents (except for a transfer hearing). Continues to prohibit publicity regarding youths in need of supervision.

p 26. Section 13

Prohibits the public disclosure of law enforcement's records. This conforms the Youth Court Act to the provisions regarding adults.

p 27. Section 14

Youth Court records (documents, petitions, pleadings, etc.) open to public inspection when related to an offense for which access allowed under Section 12 (not a major change from present law).

p 29. Section 15

Provides that fingerprints and photographs (allowed in Section 6) excluded from requirements for sealing youth court records). Records not to be sealed for felony cases where access allowed under Section 12.

p 30. Section 16

New section to require that all youth court proceedings must be scheduled and heard as expeditiously as possible. Section 17 repeals existing statute requiring that a youth court petition must be taken to trial on the merits within 15 days.

PROPOSED AMENDMENTS

TO HOUSE BILL 470

- 1.) Section 5, page 13, line 4.
Strike: "IMMEDIATELY AND EFFECTIVELY"
- 2.) Section 5, page 13, lines 6 and 7.
Strike: "CONSTITUTIONAL RIGHTS AND HIS RIGHTS UNDER THIS CHAPTER"
Insert: "RIGHT AGAINST SELF INCRIMINATION AND HIS RIGHT TO COUNSEL"
- 3.) Section 5, page 13, line 10.
Following: "16"
Strike: "UNDER THE"
- 4.) Section 5, page 13, line 11.
Strike: "AGE OF 12"
Insert: "16"
Following: "older"
Insert: "OF AGE OR OLDER"
Following: "of"
Strike: "THE PARENTS"
- 5.) Section 5, page 13, line 12.
Strike: "OF"
- 6.) Section 5, page 13, line 13.
Following: "under"
Strike: "OVER"
Insert: "UNDER"
- 7.) Section 5, page 13, line 14.
Strike: "12"
Insert: "16"
- 8.) Section 5, page 13, line 15.
Strike: "HIS PARENTS"
Insert: "A PARENT OR GUARDIAN"
- 9.) Section 5, page 13, line 17.
Following: "under"
Strike: "OVER"
Insert: "UNDER"
- 10.) Section 5, page 13, line 18.
Strike: "12"
Insert: "16"

11.) Section 5, page 13, line 19.

Strike: "PARENTS"

Insert: "PARENT OR GUARDIAN"

12.) Section 13, page 26, line 12.

Following: "(1)"

Strike: "No"

13.) Section 13, page 26, line 14.

Following: "~~records~~"

Strike: ", EXCEPT TRAFFIC RECORDS,"

14.) Section 13, page 26, line 15.

Following: "public"

Insert: "IN THE SAME MANNER AS ADULT RECORDS UNDER THE PROVISIONS OF TITLE 44, CHAPTER 5"

15.) Section 13, page 26, line 18.

Following: "~~or~~"

Strike: "unless"

Insert: "OR WHEN"

Following: "inspection"

Insert: "OR DISCLOSURE"

SENATE JUDICIARY

EXHIBIT NO. 2

DATE 3-18-87

FILE NO. 118-170

MONTANA STATE SENATE
JUDICIARY COMMITTEE
MINUTES OF THE MEETING

March 21, 1987

The forty-eighth meeting of the Senate Judiciary Committee was called to order at 9:00 a.m. on March 21, 1987, by the chairman, Joe Mazurek, in Room 325 of the state Capitol.

ROLL CALL: All members were present with the exception of Senators Blaylock and Crippen, who were excused.

EXECUTIVE SESSION

ACTION ON HOUSE BILL 696: Senator Halligan moved to TABLE House Bill 696. Senators Galt, Brown, Beck and Bishop voted no. The motion FAILED because of a tie. The committee decided to wait on action until Senators Blaylock and Crippen returned.

ACTION ON HOUSE BILL 509: Valencia Lane explained the amendments she had prepared. (Exhibit 1) Senator Pinsoneault checked into the aircraft safety laws and found one is legally drunk in a plane at .04. Senator Mazurek thought the 5th amendment should strike "to have been" in the 10th line, and insert "was". The committee agreed. Senator Pinsoneault moved the changed amendments. The motion carried. Senator Pinsoneault moved House Bill 509 BE CONCURRED IN AS AMENDED. The motion CARRIED.

ACTION ON HOUSE BILL 504: Valencia Lane explained the prepared amendments. (Exhibit 2) Senator Mazurek asked how one determines in HB 504 amendment #3, (i), what is "serious and material" in violating qualification for the ballot. Senator Brown suggested illegal signatures. He felt one would have to have quite a few to make a difference. Senator Mazurek suggested taking "serious and material" out of the amendments. The committee agreed. Senator Brown moved the amendments, and the motion carried. Senator Brown moved House Bill 504 BE CONCURRED IN AS AMENDED. The motion carried with Senators Halligan and Pinsoneault voting no.

ACTION ON HOUSE BILL 470: Valencia Lane presented prepared amendments. (Exhibit 3) Senator Mazurek felt the amendments left wide open, juvenile records, which he did not like.

He didn't like Title 45, Chapter 5. Senator Mazurek suggested deleting section 13 of the bill and leaving the record section the way it was. Ms. Lane explained section 6 includes finger prints, which would deal with juvenile records. Senator Halligan MOVED TO STRIKE section 13 of the bill and maintain the record section the way it stands now. The motion CARRIED.

Senator Mazurek said in section 12, he didn't know if it was wise to allow the victim of a crime by a juvenile to know the identity of the juvenile or their background, unless it disclosed important factors.

Senator Galt said if a delinquent youth broke your arm, you would want to know. Senator Galt asked if a youth gets to stay in youth court if he commits a serious offense. Senator Mazurek said sometimes a serious juvenile offender does stay in youth court because they can't do anything to him anyway until he is 21 years old.

Senator Pinsoneault said last session the legislature passed a bill allowing 16 year olds to be tried as adults. Senator Mazurek stated that was correct. Ms. Lane said on page 7 of the bill, there is a list of crimes that a youth can be tried as an adult for. She pointed out on page 22, line 3, it states the restitution by the parents. Senator Pinsoneault said some parents make kids do time in jail or pay the fine to teach them to respect the law. Senator Mazurek reminded the committee the parents are only liable if the youth lives at home. Senator Mazurek asked if the committee wanted to limit restitution for parents. The committee responded no. Senator Brown MOVED the change in the amendments. The motion CARRIED.

Senator Brown moved the bill BE CONCURRED IN AS AMENDED. Senators Yellowtail and Mazurek voting no, the motion CARRIED.

ACTION ON HOUSE BILL 73: Ms. Lane gave the committee amendments. (Exhibit 4) The committee added an amendment to make the sentence structure more clear. (See Standing Committee Report) The committee discussed the first proposed amendment. Senator Mazurek didn't like the fact the youth could be tried as an adult in this bill. The committee decided against that amended language and put in the second amendment on the Standing Committee Report. The committee adopted the second proposed amendment. (See Exhibit 4 and 3rd amendment on Standing Committee Report). The committee did not agree on the third proposed amendment because it was compatible to the

ROLL CALL

Judiciary

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date March 21

NAME	PRESENT	ABSENT	EXCUSED
<u>Senator Joe Mazurek, Chairman</u>	X		
<u>Senator Bruce Crippen, Vice Chairman</u>		X	X
<u>Senator Tom Beck</u>	X		
<u>Senator Al Bishop</u>	X		
<u>Senator Chet Blavlock</u>		X	X
<u>Senator Bob Brown</u>	X		
<u>Senator Jack Galt</u>	X		
<u>Senator Mike Halligan</u>	X		
<u>Senator Dick Pinsoneault</u>	X		
<u>Senator Bill Yellowtail</u>	X		

Each day attach to minutes.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 470 (Second reading):

1. Page 13, line 4.

Strike: "IMMEDIATELY" through "EFFECTIVELY"

2. Page 13, lines 6 and 7.

Strike: "CONSTITUTIONAL" on line 6 through "CHAPTER" on line 7

Insert: "right against self-incrimination and his right to
counsel"

3. Page 13, lines 10 and 11.

Strike: "UNDER" on line 10 through "12" on line 11

Insert: "16"

4. Page 13, line 11.

Following: "older"

Insert: "of age or older"

5. Page 13, lines 11 and 12.

Strike: "THE" on line 11 through "OF" on line 12

6. Page 13, line 13.

Strike: "OVER"

Insert: "under"

7. Page 13, line 14.

Strike: "12"

Insert: "16"

8. Page 13, line 15.

Strike: "HIS PARENTS"

Insert: "a parent or guardian"

9. Page 13, line 17.

Strike: "OVER"

Insert: "under"

10. Page 13, line 18.

Strike: "12"

Insert: "16"

11. Page 13, line 19.

Strike: "PARENTS"

Insert: "parent or guardian"

12. Page 26, line 12.

Strike: "No law"

Insert: "Law"

13. Page 26, line 14.

Strike: ", EXCEPT" through "RECORDS,"

14. Page 26, line 18.

Strike: "unless"

STANDING COMMITTEE REPORT

March 23

19 57

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration HOUSE BILL No. 470

Third reading copy (blue)
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Generally revise procedure of youth court and law regarding youth offender. Miles (Van Valkenburg)

Respectfully report as follows: That HOUSE BILL No. 470

1. Page 13, line 4.

Strike: "IMMEDIATELY" through "EFFECTIVELY"

2. Page 13, lines 6 and 7.

Strike: "CONSTITUTIONAL" on line 6 through "CHAPTER" on line 7

Insert: "right against self-incrimination and his right to counsel"

3. Page 13, lines 10 and 11.

Strike: "UNDER" on line 10 through "12" on line 11

Insert: "16"

4. Page 13, line 11.

Following: "elder"

Insert: "of age or older"

5. Page 13, lines 11 and 12.

Strike: "THE" on line 11 through "OF" on line 12

6. Page 13, line 13.

Strike: "OVER"

Insert: "under"

XXXXXX
DO PASS

XXXXXX
DO PASS

CONTINUED

Senator Mazurek

Chairman.

7. Page 13, line 14.

Strike: "12"

Insert: "15"

8. Page 13, line 15.

Strike: "HIS PARENTS"

Insert: "a parent or guardian"

9. Page 13, line 17.

Strike: "OVER"

Insert: "under"

10. Page 13, line 18.

Strike: "12"

Insert: "15"

11. Page 13, line 19.

Strike: "PARENTS"

Insert: "parent or guardian"

12. Page 26, line 11 through page 27, line 12.

Strike: section 13 in its entirety

Renumber: subsequent sections

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

13. Page 30, line 22.

Strike: "16"

Insert: "15"

14. Page 30, line 24.

Strike: "16"

Insert: "15"

AND AS AMENDED
BE CONCURRED IN